

Message Text

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41

ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 PM-07 CIAE-00 INR-11 NSAE-00

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TO COMUSFORAZ

INFO SECSTATE WASHDC 0292

USMISSION USUN NEW YORK

MAC SCOTT AFB

21AF MCGUIRE AFB

CINCLANT

AMCONSUL PONTA DELGADA

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USUN FOR AMB. SCOTT

EO 11652: N/A

TAGS: MILI, ELAB, PO

SUBJ: LABOR NEGOTIATIONS BETWEEN USFORAZ PORTUGUESE

NATIONAL EMPLOYEES AND USFORAZ

REF: COMUSFORAZ MSG 060830Z AUG 74

1. IN RESPONSE TO QUESTIONS RAISED IN REFTEL WE ASSUME
THAT AIRZONE HAS ADEQUATELY ANSWERED YOUR FIRST QUESTION.
ON THE SECOND QUESTION WE BELIEVE IT WOULD BE WISER NOT
TO SUGGEST A GOP REVIEW OF THE EXISTING LABOR REGULATION.

2. WE HAVE, HOWEVER, CHECKED WITH A RELIABLE LAWYER IN
THE MINISTRY OF LABOR CONCERNING THE WORKER NEGOTIATORS'
CLAIM THAT THERE ARE CIRCUMSTANCES UNDER WHICH AUGMENTED
BENEFITS ACHIEVED BY WORKERS IN ONE AREA ARE EXTENDED
TO COVER WORKERS ELSEWHERE. THIS CONTENTION IS
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CORRECT BUT ONLY UNDER FOLLOWING CONDITIONS:

A. IF MINISTER OF LABOR ISSUES DECREE (PORTARIA) EXTENDING SUCH BENEFITS TO (1) ALL WORKERS EMPLOYED IN GIVEN ECONOMIC SECTOR OR (2) ALL WORKERS THROUGHOUT THE COUNTRY;

B. IF WORKERS IN GIVEN ECONOMIC SECTOR HAVE COLLECTIVE INDUSTRY-WIDE CONTRACT (WITH GREMIO), THEN ALL COMPANIES IN INDUSTRY ARE BOUND TO PROVIDE SAME BENEFITS.

3. IT SHOULD BE NOTED THAT BENEFIT EXTENSIONS ARE, OF COURSE, AFFECTED BY MAXIMUM LIMITATIONS CURRENTLY IMPOSED BY LAW. THAT IS, MINISTER OF LABOR WOULD NOT BE ABLE TO AUTHORIZE A BENEFIT THAT RESULTED IN LAW'S MAXIMUM LIMITATIONS BEING EXCEEDED.

4. COMMENT: SINCE YOUR LABOR REGULATION DOES NOT APPEAR TO FALL UNDER THE CONDITIONS LISTED ABOVE, IT SEEMS TO US THAT THE CLAIMS MADE BY WORKER REPRESENTATIVES IN PARA 4 OF REFTEL ARE NOT BASED ON A CORRECT UNDERSTANDING OF PORTUGUESE LABOR MINISTRY PRACTICES.

POST

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